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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,462	11/19/2003	Kang Soo Seo	1740-0000074/US	3758
30593	7590	08/29/2008	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			SHIBRU, HELEN	
		ART UNIT	PAPER NUMBER	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/715,462	SEO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	HELEN SHIBRU	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 May 2008.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-29 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-29 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 07/24/08, 06/20/08, 05/28/08, 04/22/08, 04/11/08.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.



## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendments, filed 05/05/2008, have been entered and made of record. Claims 23-29 are added and therefore claims 1-29 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saeki (US PG PUB 2001/0043790) in view of Kaneshige (US Pat. No. 5,913,010).

Regarding claim 1, Saeki discloses a computer readable medium storing a data structure for managing reproduction of at least one of video data and audio data performed by a reproduction device, comprising: a data area for storing the at least one of video and audio data (see figures 1, 6, 7, and 9) a navigation area storing at least one navigation file, the navigation file including navigation commands for managing reproduction of the at least video and audio data, the navigation data file providing parental control of the at least one of the video and audio data (see fig. 28 and paragraphs 0226, 0234, and figures 6, 9, and 14).

Claim 1 differs from Saeki in that the claim further requires a navigation area separate from the data area.

In the same field of endeavor Kaneshige discloses a navigation area separated from the data area for storing at least one navigation file (see figures 15-17 and col. 11 line 66-col. 12 line 53 where it discloses the Navigation pack separate from the audio pack and the video pack in the DVD video zone). Kaneshige further discloses the navigation pack including navigation commands for managing reproduction of the video and audio data and the navigation file providing parental control of the video and audio data (see figure 17 and col. 12 lines 45-53). Therefore in light of the teaching in Kaneshige it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Saeki by providing a navigation pack area separated from the data area in order to control display of data in the video object unit to which the navigation pack belongs to.

Regarding claim 2, Saeki discloses the at least one of video and audio data forms different parental control reproduction paths, the navigation commands instruct playback of at least one playlist recorded on the recording medium for each different parental control reproduction path, each playlist representing at least a portion of at least one of audio and video data recorded on the recording medium (see paragraphs 0065-0068 and 0090). See also Kaneshige's figures 17-18 and col. 12 lines 45-48 and line 56-col. 13 line 4).

Regarding claim 3, Saeki discloses the navigation commands are divided into navigation command groups, and at least one of the navigation command groups being associated with only one of the different parent control reproduction paths (see figure 9).

Regarding claim 4, Saeki discloses the navigation commands selectively determine which playlist from a group of at least two playlists recorded on the computer readable medium to playback based on a selected parental control reproduction path (see paragraphs 0186, 0216-0217 and 0219).

Regarding claim 5, Saeki discloses the navigation commands selectively determine which of the playlists to playback based on user input indicating the selected parental control reproduction path (see paragraphs 0147, 0186, 0210, 0216, 0226, figures 21, and 26-27).

Regarding claim 6, Saeki discloses the navigation commands are divided into navigation command groups, and each of the different parental control reproduction paths includes at least one navigation command group associated therewith (see figures 9 and 13).

Regarding claim 7, Saeki discloses each navigation command group associated with a different parental reproduction path is associated with only one of the different parental reproduction paths (see paragraphs a number of the navigation command groups selectively determine which playlist from a group of at least two playlists recorded on the recording medium to playback based on a selected parental control reproduction path. 0100-0106).

Regarding claim 8, Saeki discloses a number of the navigation command groups selectively determine which playlist from a group of at least two playlists recorded on the computer readable medium to playback based on a selected parental control reproduction path (see paragraphs 0186, 0216-0217 and 0219).

Claim 9 is rejected for the same reasons as discussed in claim 5 above.

Regarding claim 10, Saeki discloses a playlist area storing at least one playlist associated with each of the different parental control reproduction paths, each playlist identifying at least a

portion of a clip file forming at least a portion of the least one of audio and video data recorded on the computer readable medium (see paragraphs 0100-0102, 0186, and 0216).

Regarding claim 11, Saeki discloses each playlist is associated with only one of the different parental control reproduction paths (see paragraphs 0226, 0230, 0232 and claim 3 rejection above).

Regarding claim 12, Saeki discloses at least two playlists, each associated with a different one of the different parental control reproduction paths, identify a same clip file (see paragraphs 0096-0098).

Regarding claim 13, Saeki discloses at least two playlists, each associated with a different one the different parental control reproduction paths, identify a same portion of a same clip file (see paragraphs 0096-0102).

Regarding claim 14, Saeki discloses at least two playlists, each associated with a different one of the different parental control reproduction paths, identify different clip files representing a same portion of a title (see paragraphs 0202-0210).

Regarding claim 15, Saeki discloses the navigation file further includes a length indicator indicating a length of the navigation file (see paragraphs 0131 and 0205).

Regarding claim 16, Saeki discloses the navigation file further includes an attribute indicator providing an indication of at least one attribute of the navigation file (see paragraphs 0227-0228).

Regarding claim 17, Saeki discloses the navigation commands are divided into navigation command groups, and the navigation file further includes a number of navigation command

groups indicator indicating a number of the navigation command groups in the navigation file (see paragraphs 0236-0240).

Regarding claim 18, Saeki discloses the navigation commands are divided into navigation command groups and the navigation file further includes a length indicator indicating a length of the navigation file, an attribute indicator providing an indication of at least one attribute of the navigation file, and a number of navigation command groups indicator indicating a number of the navigation command groups in the navigation file (see rejections of claims 13-15 above).

Claim 19 is rejected for the same reason as discussed in claim 1 above.

Claim 20 is rejected for the same reason as discussed in claim 1 above. It is noted that Seki discloses the method of reproducing data structure as claimed in the present application claim 20 (see claims 4-5 of Saeki). It is also noted that Kaneshige discloses reproducing the at least one of video and audio data recorded in a data area of the computer readable medium, separate from the navigation area (see col. 15 line 16-col. 16 line 67). Therefore claim 20 is analyzed and rejected for the reasons stated above.

Regarding claim 21, Saeki discloses an apparatus for recording a data structure for managing reproduction of at least one of video and audio data on a computer readable medium, comprising: a pick up configured to record data in a data area of the computer readable medium (see figure 14, and paragraphs 0126-0130); a controller operably coupled to the pick up, configured to control the pickup to record at least one navigation file in a navigation area of the computer readable medium, wherein the controller controls the pickup to record navigation commands for managing reproduction of the at least one of video and audio data and information

for providing parental control of the at least one of video and audio data in the navigation file (see rejection of claim 1 above and claims 1 and 2 of Saeki).

Claim 21 differs from Saeki in that the claim further requires a navigation area separate from the data area.

In the same field of endeavor Kaneshige discloses a navigation area separated from the data area for storing at least one navigation file (see figures 15-17 and col. 11 line 66-col. 12 line 53 where it discloses the Navigation pack separate from the audio pack and the video pack in the DVD video zone. Kaneshige further discloses the navigation pack including navigation commands for managing reproduction of the video and audio data and the navigation file providing parental control of the video and audio data (see figure 17 and col. 12 lines 45-53). Therefore in light of the teaching in Kaneshige it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Saeki by providing a navigation pack area separated from the data area in order to control display of data in the video object unit to which the navigation pack belongs to.

Regarding claim 22, the limitation of claim 22 can be found in claims 1, 20 and 21 above. Therefore claim 22 is analyzed and rejected for the same reasons as discussed in claims 1, 20 and 21.

Claims 23-26 are rejected for the same reasons as discussed in claims 2, 5, and 7-8 respectively above.

Regarding claim 27, Saeki discloses an interface unit configures to communicate with the controller to select one of the different parental control reproduction paths (see figure 14 and paragraph 0157).

Regarding claim 28, Saeki discloses wherein the interface unit receives user input on the different parental control reproduction paths, and the controller controls the reproduction of the at least one of video and audio data based on the user input (see paragraphs 0126 and 0172).

Claim 29 is rejected for the same reasons as discussed in claim 2 above.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571)272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HELEN SHIBRU/  
Examiner, Art Unit 2621  
August 8, 2008

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621